

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Minutes
May 22, 2008
1:30 p.m.**

The regular meeting of the Tennessee Alcoholic Beverage Commission was held on Thursday, May 22, 2008 in Nashville, Tennessee at 1:30 p.m. Chairman John Jones, Commissioner Cynthia Bond and Commissioner Harlan Mathews were present. Executive Director Danielle Elks and Assistant Director Carolyn Smith were present.

- 1. The Minutes for April 24, 2008 Commission Meeting were approved.**
- 2. RETAIL**

**A. OASIS LIQUORS
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Licensee:	Gayatri Corporation
Stockholders:	Hasmukh Patel, Ketan Patel, Saurin Patel
Applicants:	Naren Dashrathbhi Patel and Saurin Patel

Before the Commission is a request to transfer stock ownership of the existing licensee located at 7000 Lee Highway, Suite 100, in Chattanooga, Tennessee. Hasmukh Patel would like to sell his existing 50% interest (500 shares) to a new stockholder, Naren Patel for \$100,000. Katen Patel would like to sell his 40% interest to existing stockholder Saurin Patel for \$30,000. Financing for both is based upon existing personal funds in checking/savings accounts. If approved, both Naren Patel and Saurin Patel would each own 50% of the stock of the corporate licensee. All documentation has been submitted, with the exception of the following:

- a. Bank statements for both Naren and Saurin Patel indicating sufficient balances to cover the purchase.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the bank statements for both Naren and Saurin Patel indicating sufficient balances to cover the purchase. Chairman Jones made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it was approved with 3 ayes.

**B. NEELY’S LIQUORS
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Licensee/Seller: Neely’s Liquors, Inc.
Stockholders: Gaelin Neely and Dianechia Neely
Applicant/Buyer: Tana Investments, LLC
Member: John Shikhule

Before the Commission is a request for a transfer of ownership of the retail store located at 798 Poplar Avenue, in Memphis, Tennessee. Mr. John Shikhule wishes to purchase the retail store for \$75,000—which includes inventory. If approved, Mr. Shikhule will operate the business as a LLC. Financing is based upon existing personal funds and loans from various retirement plans. The applicant is leasing the property from Frank Diccio for a period of 5 years at \$1600/month. **Second request, if approved, is to change the name of the business to Tana Liquors.** All documentation has been submitted.

Discussion/Action Taken:

John Shikhule was present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval. Commissioner Bond made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it was approved with 3 ayes.

Commissioner Bond made a motion to approve the name change to Tana Liquors. Commissioner Mathews seconded the motion and it passed with 3 ayes.

**C. AYOKAS LIQUOR STORE
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Licensee/Seller: Brenda Ifabiyi
Applicant/Buyer: BFIC, Inc.
Stockholders: Brandon Ford and Corey Irby

Before the Commission are two requests: first request for a transfer of ownership of the retail store located at 4907 Airways in Memphis, Tennessee. Brandon Ford and Corey Irby wish to purchase the business for \$45,000, and operate the business as a corporation. Financing is based upon lines of credit with Bank of America and the City of Memphis Credit Union. The applicant has been assigned the lease by the current licensee, Brenda Ifabiyi, who is leasing it from Marie Fadonou for \$800/month. **Second request, if approved, is to change the name of the business to Airways Discount Liquors.** All documentation has been submitted with the exception of the following:

- a. Verification the closing has not previously occurred;
- b. Assignment of the lease to the corporation;
- c. Use and Occupancy permit;
- d. Evidence charter filed with the Secretary of State's Office;
- e. Documents showing line of credit with credit union;
- f. Ford's statements indicating balances.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following information:

- a. Verification the closing has not previously occurred;
- b. Assignment of the lease to the corporation;
- c. Use and Occupancy permit;
- d. Evidence charter filed with the Secretary of State's Office;
- e. Documents showing line of credit with credit union;
- f. Ford's statements indicating balances.

Commissioner Bond made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it was approved with 3 ayes.

Commissioner Mathews made a motion to approve the name change to Airways Discount Liquors. Commissioner Bond seconded the motion and it passed with 3 ayes.

**D. FARRAGUT WINE AND SPIRITS
FARRAGUT, TENNESSEE (KNOX COUNTY)**

Licensee: Farragut Wine and Spirits, LLC
Members: David Purvis and Hugh Kaserman
Buyer: David Purvis

Before the Commission is a request to transfer ownership of the retail store located at 11238 Kingston Pike, in Farragut Tennessee. This business was first licensed in October, 2007. David Purvis wishes to purchase Hugh Kaserman's interest in the LLC licensee and become the sole member. The purchase price Mr. Kaserman's 50% interest is \$110,000, based upon a promissory note between the two individuals. All documentation has been submitted with the exception of the following:

- a. Release from Mountain Commerce Bank for Hugh Kaserman as a personal guarantor on the LLC's \$500,000 loan.

Discussion/Action Taken:

- b. Release from Cox and Cox Realty for Hugh Kaserman as a personal guarantor on the lease.

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following information:

- a. Release from Mountain Commerce Bank for Hugh Kaserman as a personal guarantor on the LLC's \$500,000 loan.
- b. Release from Cox and Cox Realty for Hugh Kaserman as a personal guarantor on the lease.

Chairman Jones made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it was approved with 3 ayes.

**E. BORO LIQUORS
MURFREESBORO, TENNESSEE (RUTHERFORD COUNTY)**

Licensee/Seller: Nazim and Rubina Jaffer
Applicant/Buyer: Boro Liquors, Inc.
Stockholder: Rubina Jaffer

Before the Commission is a request for a transfer of ownership of the retail store located at 3210 Memorial Boulevard, in Murfreesboro, Tennessee, and then a request to incorporate. Nazim Jaffer is requesting to sell his interest in the business to Rubina Jaffer for \$300,000. Financing is based upon a promissory note with the seller. Regions Bank has removed Nazim Jaffer from the existing business account. If approved, Rubina wishes to operate the business as a corporation. Nazim and Rubina Jaffer will rent the property to the corporation for \$10,000/month for a five year period. All documentation has been submitted with the exception of the following:

- a. Deed;
- b. Bill of Sale from Nazim Jaffer to Rubina Jaffer;
- c. Rubina Jaffer's request to incorporate;
- d. Inspection;
- e. Acknowledgement of the rules and regulations.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following information:

- a. Deed;
- b. Bill of Sale from Nazim Jaffer to Rubina Jaffer;
- c. Rubina Jaffer's request to incorporate;
- d. Inspection;
- e. Acknowledgement of the rules and regulations.

Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it was approved with 3 ayes.

3. WHOLESALE

A. MT DISTRIBUTORS CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)

Applicant: MT Distributors, LLC
Member: James Sherrell

Before the Commission is a request for a new wholesale license to be located at 837 McCallie Avenue, Suite 100, in Chattanooga, Tennessee. Mr. James Sherrell wishes to initially invest \$20,000 in the business, and if approved, will operate the business as a LLC. Funding is based upon existing personal funds. Mr. Sherrell will be leasing the property to the applicant LLC for \$800 month. All documentation has been submitted with the exception of the following:

- a. Evidence the charter has been filed with the Secretary of State's Office.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of documentation that the charter has been filed with the Secretary of State's Office. Chairman Jones made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it was approved with 3 ayes.

B. HORIZON WINE AND SPIRITS NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Licensee: Horizon Wine and Spirits—Nashville, Inc.
Stockholder: Thomas Bernard

Before the Commission is a request for ultimately a transfer of location from 337 28th Avenue, North to 3851 Industrial Parkway, both in Nashville, Tennessee. The licensee has purchased the land at the proposed new location, and is currently building the warehouse. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Use and Occupancy permit.

Discussion/Action Taken:

Hank Hildebrand, Attorney and Thomas Bernard were present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the TABC Inspection and the Use and Occupancy permit. Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it was approved with 3 ayes.

- 4. BUDGET**
- 5. CONSENT ORDERS**
- 6. PENDING MATTERS LIST**
- 7. MISCELLANEOUS**

Discussion on Joint Ownership/Family Owned Retail Stores - Matter will be continued to the June 19, 2008 Commission meeting.

- 8. DATE OF NEXT MEETING** – Thursday, June 19 & Wednesday, July 16, 2008 at 1:30 p.m.

John A. Jones

Shari Danielle Elks
Executive Director